

million to the Department of the Interior to make grants to the Lewis and Clark Rural Water System, would cost \$62 million over the 2000–2004 period, with the rest of the authorized spending coming after 2004. I ask unanimous consent that a copy of the CBO estimate be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, August 2, 1999.

Hon. FRANK H. MURKOWSKI,
Chairman, Committee on Energy and Natural
Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 244, the Lewis and Clark Rural Water System Act of 1999.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Kim Cawley, who can be reached at 226–2860.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

S. 244.—*Lewis and Clark Rural Water System Act of 1999*

Summary: S. 244 would authorize the appropriations of \$224 million to the Department of Interior (DOI) to make grants to the Lewis and Clark Rural Water System for the construction of a drinking water supply project. The Lewis and Clark Rural Water System is a group of cities and rural areas in southeastern South Dakota, northwestern Iowa, and southwestern Minnesota. CBO estimates that implementing S. 244 would cost \$62 million over the 2000–2004 period, with the rest of the authorized spending coming after 2004.

Enactment of this bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). State and local governments might incur some costs as a result of the bill's enactment, but these costs would be voluntary.

Estimated Cost to the Federal Government: The estimated budgetary impact of S. 244 is shown in the following table. The costs of this legislation fall within the budget function 300 (natural resources and environment).

SPENDING SUBJECT TO APPROPRIATION

	By fiscal year, in millions of dollars				
	2000	2001	2002	2003	2004
Authorization Level	224	0	0	0	0
Estimated Outlays	1	2	9	25	25

Basis of Estimate: For purposes of this estimate, CBO assumes that the full amount of the authorization will be provided in 2000. We estimated the annual amount of spending on this drinking water system construction project using information from the local water system and historical spending rates for similar projects. Completion of this project is expected to take about 12 years.

Pay-as-You-Go Considerations: None.

Estimated Impact on State, Local and Tribal Governments: S. 244 contains no intergovernmental mandates as defined UMRA. The bill would require that the non-federal share of project costs equal 20 percent, except for the incremental cost of participation in the project by the city of Sioux

Falls. The city would be required to pay 50 percent of that cost. Any State or local governments choosing to participate in the project authorized by this would do so on a voluntary basis, and any cost that they might incur would be accepted by them on that basis.

Estimated Impact on the Private Sector: This bill contains no new private-sector mandates as defined in UMRA.

Estimate Prepared by: Federal Costs: Kim Cawley (226–2860); Impact on State, Local, and Tribal Governments: Marjorie Miller (225–3220).

Estimate Approved by: Paul N. Van de Water, Assistant Director for Budget Analysis.

TRIBUTE TO CAPTAIN JENNIFER SHAFER ODOM

Ms. MIKULSKI. Mr. President, it is with great sadness that I rise to pay tribute to the life of Captain Jennifer Shafer Odom. She died on a mountain-side in Colombia—where she was defending our Nation and our values.

This morning, her grieving family is at Dover Air Force Base—to bring their daughter home for the last time.

On July 23, Captain Odom was on an Army reconnaissance plane that was flying near a major drug-producing region of Colombia. During bad weather, the plane crashed into a mountain-side—killing the five Americans and two Colombians on board. These brave soldiers were casualties in our war against drugs. They were fighting to keep drugs off our streets and out of our schools. They know that this is essential to our national security and our national values.

Captain Odom grew up in Brunswick, Maryland. She was a valedictorian at Brunswick High School. She was active in so many areas—from sports to theater.

As a scholar, an athlete and a leader—it's not surprising that she chose to attend the U.S. Military Academy at West Point. She wanted to use her many talents to serve her country.

She graduated from West Point in the top quarter of her class. She served in the United States Army with valor and distinction—raising to rank of Captain.

But it is not just for her accomplishments that she will be missed. I've spoken to her family several times in the past few days. What comes across is their pride in the kind of person that she was. She was so dear to her friends and neighbors that the entire community joined in a prayer chain to pray for her and for her family.

Captain Jennifer Shafer Odom served our country with distinction. Her courage and her sacrifice remind us that our freedom abides in the heroism of pilots like Captain Odom.

Her death was a tragedy—but her life was a triumph. She leaves behind a grieving husband, and her heartbroken parents. I ask my colleagues to join me in keeping Captain Odom and her family in our prayers.

HOLOCAUST SURVIVORS' ASSETS

Mr. ABRAHAM. Mr. President, I rise today to discuss the Holocaust Era Assets Tax Exclusion Act amendment to the Taxpayer Relief Act of 1999. I am pleased that this amendment was cleared on both sides of the aisle and has been accepted by the full United States Senate. The passage of the Abraham-Fitzgerald-Moynihan-Schumer Holocaust Era Assets Tax Exclusion Act amendment by unanimous consent, demonstrates beyond shadow of a doubt the United States Senate's firm solidarity with those who suffered during the Holocaust. In addition, I would like to offer my sincere gratitude to Chairman ROTH for his leadership and support during this process, without which we might not have had this opportunity to pass such important legislation.

The passing decades have not obscured the horrors of the Nazi regime and the horrors it committed during its 12 years in power. Many people in America and around the world live every day with memories of atrocities they suffered during this terrible time. Rounded up, placed in ghettos or death camps, left to starve or tortured and murdered, millions had their lives taken from them, figuratively and literally.

We must never forget these atrocities. Thanks to the hard work of many, particularly within the Jewish community, we have numerous reminders of this inhumanity which can and should increase our awareness and our commitment to preventing any such events from occurring ever again. But there is more that we must do. Only recently has public attention been properly directed toward another great crime of the Nazi regime and those who cooperated with it: the systematic looting of Jewish economic assets. In addition to committing outright theft and looting, the Nazis seized liquid assets that could be converted easily into cash, such as insurance policy proceeds and bank accounts. Documents discovered over the past several years show that the Nazis specifically targeted insurance policies held by Jews as a source of funding for their expansionist, totalitarian regime.

I am sorry to say that some insurance companies also specifically (and illegally) targeted Jewish families. Knowing that Jewish policy holders soon would be taken to concentration camps, these firms sold specifically tailored policies, taking as much cash as possible up front, with no intention of honoring their obligations.

After the war, Holocaust survivors struggling to restart their lives tried to collect on their policies, access their bank accounts and/or reclaim assets that had been illegally seized from them. Unfortunately, governments, banks, and insurance companies failed to fulfill their duty to treat Holocaust victims with justice and dignity. Instead, they refused to honor policies or return stolen assets. In this way, survivors of the Holocaust were victimized

twice, first by the Nazis, then by the financial institutions that deprived them of their assets.

Today, after over 50 years of injustice, Holocaust survivors and their families are finally reclaiming what is rightfully theirs. It is high time these victims of oppression finally got back some of the property stolen from them. It also is time, in my view, that the rest of us stood up to protect them from further raids on their assets. Under current law, any money received by Holocaust survivors in their settlements with banks and other organizations that once cooperated with the Nazis is treated as gross income for federal tax purposes. And that's just plain wrong.

My colleagues and I offer this amendment to prevent the federal government from imposing income tax on any settlement payments, received by Holocaust survivors or their families resulting from a Holocaust claim. We do so because we feel it is morally imperative that we stand with the victims of this injustice, and that this nation not treat as income what is in fact the return of what had been stolen.

Specifically, our amendment would allow a Holocaust survivor or the surviving heirs to receive a tax exemption for any monies received as payment resulting from a Holocaust claim from any international fund for survivors.

This would include settlements from the action "*In re Holocaust Victims' Asset Litigation*" or any other similar lawsuit, including actions already settled.

Also included would be the value of any land recovered from a foreign government as a result of a settlement arising out of the illegal confiscation of such land in connection with the Holocaust.

The victims of the Holocaust have suffered far too much for any such taxation to be just. These settlements represent but a fraction of what is owed to those who suffered under Nazi tyranny. To treat them as income subject to taxation would be to add a new injury to the old.

Mr. President, we cannot undo the evil acts of the Nazi regime. But we can put ourselves firmly on the side of those who suffered so unjustly by passing this amendment. By excluding Holocaust settlement monies from taxation, we will show that we understand what justice demands of us as we face the continuing consequences of an unjust regime.

KOSOVO'S DEADLY LEGACY

Mr. LEAHY. Mr. President, as NATO soldiers struggle to keep the peace in Kosovo, war crimes investigators labor to identify and exhume bodies from hundreds of mass graves, and the costly effort to rebuild homes and communities gets underway, we are seeing a repeat of many of the challenges that confront any post-conflict society.

One I want to mention today is a threat that is hidden among the debris,

killing and horribly injuring civilians and NATO peacekeepers indiscriminately as they work to rebuild what was destroyed in the war.

The threat is unexploded ordnance, and in Kosovo that means landmines left by the Serbs and the Kosovo Liberation Army, and cluster bombs dropped by NATO forces, mostly by American aircraft.

I have often spoken about the problem of landmines. There are tens of thousands of them scattered in the fields, forests, and roads of Kosovo.

Each one is designed to blow the legs off the unsuspecting person who triggers it. Usually it is a farmer, or child, or some other innocent person trying to rebuild a normal life. The United States is helping to clear the mines, but it is a tedious, costly, and dangerous job.

But even more than landmines, it is unexploded cluster bombs which pose the greatest danger to civilians and NATO peacekeepers in Kosovo.

Cluster bombs are a favorite anti-personnel weapon of the U.S. military, and hundreds of thousands of them were dropped by NATO planes over Kosovo. They cover wide areas, are designed to explode on impact, and they spread shrapnel in all directions.

People and lightly armored vehicles are the usual targets, but since cluster bombs are often dropped from high altitudes they often miss the target.

Not only do they too often miss the target, between 5 and 20 percent of cluster bombs do not explode on impact. According to the State Department, there may be as many as 11,000 of these deadly bomblets currently lying on Kosovo soil, waiting for someone, anyone, to walk or drive by and set them off.

Unlike landmines, their location cannot be accurately mapped. We do not know where they are. Like landmines, it is the victim who pulls the trigger.

The usual victims of these explosions, like landmines, are innocent civilians, not military targets. And they remain active for years. In Laos, where millions of United States cluster bombs were dropped during the Vietnam war a quarter century ago, people are still losing their lives, their limbs, and their eyesight from these weapons.

Cluster bombs do not discriminate. NATO peacekeepers are not immune. Children are not immune. Approximately 5 Kosovars each day are killed by unexploded ordnance, mostly U.S. cluster bombs. Over 170 people have died this way since the war ended.

Even though we have known about this problem for decades, little has been done to try to minimize the harm to civilians from cluster bombs.

Recently, to its credit, the Pentagon began studying this problem. There are two things that could and should be done immediately.

First, we need to significantly reduce or eliminate the problem of dud cluster bombs that remain active and dangerous. We have the technology to

make landmines self-destruct or self-deactivate after a short period of time.

Why can't that same technology—usually a simple battery that runs out after a few hours—be applied to cluster bombs? It needs to be done.

Second, the Pentagon should revisit its rules of engagement for using cluster bombs. In Kosovo, NATO showered cluster bombs over densely populated areas. Was this militarily necessary or justified? Was it consistent with international law?

Since too often they miss the target, what limits should be imposed on where and when cluster bombs can be used so the innocent are not harmed? These questions need answers.

I am not the only one concerned about this. The same concerns have been conveyed to me by active duty and retired members of our Armed Forces. Just recently, the House Armed Services Committee included language in its report accompanying the fiscal year 2000 National Defense Appropriation Act, which directs the Secretary of Defense to establish a defense-wide program to develop affordable, reliable self-destruct fuses for munitions.

I see a real problem, and countless tragedies, resulting from the way these munitions are designed and used. We can do better.

There is always too much death and destruction in any military conflict. The lingering threat of landmines and unexploded bombs can be significantly reduced. If implemented, the changes I have suggested could save many innocent lives in the aftermath of war.

Mr. President, I ask unanimous consent that a brief article and a letter to the editor about cluster bombs that appeared in the August 3 Washington Post, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, August 3, 1999]

THE REMAINS OF WAR

U.S. warplanes dropped 1,100 cluster bombs during Operation Allied Force against Yugoslavia, says the Defense Department. Each contained 202 bomblets. That's 222,200 bomblets each. With a dud rate of 5 percent, it is likely, a DOD spokesman said, that about 11,110 bomblets are sitting around unexploded.

DUDS KEEP ON KILLING

The problem of high dud rates in cluster bombs has been well known to the military for years. The 5 percent dud rate mentioned in "NATO 'Duds' Keep Killing in Kosovo" [front page, July 19] must be characterized as more of a prayer than a fact: Dud rates among cluster munitions were as high as 30 percent during the Vietnam War. Dud rates during the Gulf War were as high as 20 percent.

Laos remains littered with millions of duds in unmarked minefields. They continue to kill farmers who strike them with implements and children who mistake them for toys. Many young victims' parents were not even born when the United States dropped these weapons in unprecedented numbers. The grandchildren of Kosovars and Serbs